

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 LAVONTE GLOVER,

4 Plaintiff

Case No. 2:19-cv-01144-JAD-VCF

ORDER

5 v.

6 HEAPS et al.,

7 Defendants
8

9 **I. DISCUSSION**

10 On July 1, 2019, Plaintiff, a prisoner in the custody of the Nevada Department of
11 Corrections ("NDOC"), submitted a civil rights complaint under 42 U.S.C. § 1983 and filed
12 properly executed financial certificate. (ECF Nos. 1-1, 1-2). On July 8, 2019, this Court
13 issued an order directing Plaintiff to file a fully complete application to proceed *in forma*
14 *pauperis* with complete financial attachments or pay the full filing fee within 30 days from
15 the date of that order. (ECF No. 3). Plaintiff subsequently filed an application to proceed
16 *in forma pauperis* but not an inmate account statement. (ECF No. 4). As such, this
17 application is incomplete.

18 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
19 application to proceed *in forma pauperis* and attach both an inmate account statement
20 for the past six months and a properly executed financial certificate. Plaintiff has not
21 submitted an inmate account statement for the past six months. (See ECF No. 4). The
22 Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the
23 matter of the payment of the filing fee is resolved. Plaintiff will be granted one final
24 opportunity to cure the deficiencies of his application to proceed *in forma pauperis* by
25 filing inmate account statement for the past six months, or in the alternative, pay the full
26 filing fee for this action. If Plaintiff fails to file an inmate account statement for the past six
27 months, the Court will dismiss the case in its entirety, without prejudice, to file a new case
28 when Plaintiff is able to acquire the necessary documents to file a complete application

1 to proceed *in forma pauperis*.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND
4 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well
5 as the document entitled information and instructions for filing an *in forma pauperis*
6 application.

7 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
8 Plaintiff will either: (1) file an inmate account statement for the past six months in
9 compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action
10 (which includes the \$350 filing fee and the \$50 administrative fee).

11 IT IS FURTHER ORDERED that, if Plaintiff fails to timely file an inmate account
12 statement for the past six months, the Court will dismiss the case, without prejudice, for
13 Plaintiff to file a new case when he is able to acquire the necessary documents to file a
14 complete application to proceed *in forma pauperis*.

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16 DATED THIS ^{30th} ____ day of July 2019.



18 UNITED STATES MAGISTRATE JUDGE
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